

**ENTERED**

October 10, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

FRANCISCO P CORTES, *et al.*,

Petitioners,

VS.

THE UNITED STATES OF AMERICA,

Defendant.

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CIVIL ACTION NO. 5:17-CV-128

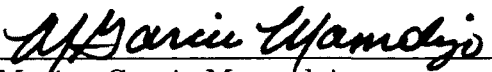
**ORDER**

On September 12, 2018, U.S. Magistrate Judge Diana Song Quiroga issued a Report and Recommendation in accordance with 28 U.S.C. § 636(b)(1) recommending that the District Court dismiss this case sua sponte with prejudice as frivolous and for failure to state a claim on which relief can be granted. (Dkt. No. 44). Neither Party has filed objections to the Report and Recommendation.

Having considered the entire record and finding no plain error in the proposed findings and recommendations, the Court hereby **ADOPTS** the Report and Recommendation as the findings of the Court, including the warning about the potential consequences of filing a third meritless lawsuit in the Southern District of Texas. Accordingly, this civil action is **DISMISSED WITH PREJUDICE**.

It is so **ORDERED**.

**SIGNED** October 10, 2018.

  
Marina Garcia Marmolejo  
United States District Judge